

1 Note: The outline below is intended to serve as a reference for navigating the new Chapter 875. The  
2 outline includes sections of the new chapter with citations to the corresponding sections of the Virginia  
3 Erosion and Stormwater Management Act, Erosion and Sediment Control Law, and Chapters 840, 850,  
4 and 870.

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## 6 Chapter 875

### 7 Virginia Erosion and Stormwater Management Regulation

#### 9 **Part I. Definitions applicable to Virginia Erosion and Stormwater Management Programs and Virginia** 10 **Erosion and Sediment Control Programs.**

- 11     • 9VAC25-875-10. General.
- 12     • 9VAC25-875-20. Definitions. (*9VAC25-870-10; 9VAC25-840-10; § 62.1-44.15:24 of the Code of*  
13 *Virginia; and § 62.1-44.15:51 of the Code of Virginia*)

#### 14 **Part II. Virginia Erosion and Stormwater Management Program.**

##### 15 **Article 1. Definitions, purpose, and applicability.**

- 16     • 9VAC25-875-30. Definitions. (*9VAC25-870-10*)
- 17     • 9VAC25-875-40. Purpose. (*9VAC-870-20 and 9VAC25-840-20*)
- 18     • 9VAC25-875-50. Applicability. (*9AVC25-870-30 and 9VAC25-840-30*)
- 19     • 9VAC25-875-60. Applicability of incorporated references based on the dates that they became  
20 effective. (*9VAC25-870-15*)

##### 21 **Article 2. Land-disturbing activities.**

- 22     • 9VAC25-875-70. Regulated land-disturbing activities. (*§ 62.1-44.15:34 E of the Code of Virginia*)
- 23     • 9VAC25-875-80. Chesapeake Bay Preservation Act land-disturbing activities (*9AVC25-870-103*)
- 24     • 9VAC25-875-90. Activities not required to comply with VESMP. (*§ 62.1-44.15:34 F and G of the*  
25 *Code of Virginia*)

##### 26 **Article 3. Programs operated by a VESMP authority.**

- 27     • 9VAC25-875-100. Criteria for programs operated by a VESMP authority. (*9VAC25-870-104;*  
28 *9AVC25-870-106; and § 62.1-44.15:27 H of the Code of Virginia*)
- 29     • 9AVC25-875-110. Plan review requirements. (*9VAC25-870-108*)
- 30     • 9VAC25-875-120. Plan review coordination with the department. (*§ 62.1-44.15:27 B 2 of the*  
31 *Code of Virginia and § 62.1-44.15:34 A 2 of the Code of Virginia*)
- 32     • 9VAC25-875-130. Long-term maintenance of stormwater management facilities. (*9VAC25-870-*  
33 *112*)
- 34     • 9VAC25-875-140. Inspections. (*9VAC25-870-114 and 9VAC25-840-60*)
- 35     • 9VAC25-875-150. Enforcement. (*9VAC25-870-116*)
- 36     • 9VAC25-875-160. Hearings. (*9VAC25-870-118*)
- 37     • 9VAC25-875-170. Variances and exceptions. (*9VAC25-870-122 and 9VAC25-840-50*)

- 38       • 9VAC25-875-180. Reports and recordkeeping. (*9VAC25-870-126 and 9VAC25-840-65*)

39       **Article 4. Authorization and review procedures for VESMPs.**

- 40       • 9VAC25-875-190. Review and evaluation of VESMPs. (*9VAC25-870-144 and 9VAC25-840-90*)

41       **Article 5. VSMP operated by the department.**

- 42       • 9VAC25-875-200. Criteria for a VSMP. (*9VAC25-870-104; 9VAC25-870-106; and § 62.1-44.15:27.1 of the Code of Virginia*)

44       **Part III. Virginia Erosion and Sediment Control Program.**

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- 46       • 9VAC25-875-210. Definitions. (*9VAC25-840-10*)  
47       • 9VAC25-875-220. Purpose. (*9VAC25-870-20 and 9VAC25-840-20*)  
48       • 9VAC25-875-230. Applicability. (*9VAC25-870-30 and 9VAC25-840-30*)

49       **Article 2. Land-disturbing activities.**

- 50       • 9VAC25-875-240. Criteria for determining status of land-disturbing activity (*9VAC25-840-80*)  
51       • 9VAC25-875-250. Regulated land-disturbing activities. (*§ 62.1-44.15:34 E of the Code of Virginia*)  
52       • 9VAC25-857-260. Chesapeake Bay Preservation Act land-disturbing activities (*9VAC25-870-103*)  
53       • 9VAC25-875-270. State agency land-disturbing activities. (*9VAC25-840-100*)  
54       • 9VAC25-875-280. Activities not required to comply with the VESCP. (*§ 62.1-44.15:55 F of the Code of Virginia*)

56       **Article 3. Programs operated by a VESCP authority.**

- 57       • 9VAC25-875-290. Criteria for programs operated by a VESCP authority. (*§62.1-44.15:54 of the Code of Virginia*)  
58       • 9VAC25-875-300. Plan review requirements. (*§62.1-44.15:55 of the Code of Virginia*)  
59       • 9VAC25-875-310. Plan review coordination with the department. (*9VAC25-840-45*)  
60       • 9VAC25-875-320. Long-term maintenance of stormwater management facilities. (*9VAC25-870-58*)  
61       • 9VAC25-875-330. Inspections. (*9VAC25-840-60*)  
62       • 9VAC25-875-340. Enforcement. (*9VAC25-870-116*)  
63       • 9VAC25-875-350. Variances. (*9VAC25-840-50*)  
64       • 9VAC25-875-360. VESCP reporting and record keeping requirements. (*9VAC25-840-65*)

67       **Article 4. Review procedures for VESCPs.**

- 68       • 9VAC25-875-370. Review and evaluation of VESCPs. (*9VAC25-840-90*)

69       **Part IV. Certification of VESMP, VSMP, and VESCP personnel.**

- 70       • 9VAC25-875-380. Purpose. (*9VAC25-850-20*)  
71       • 9VAC25-875-390. Applicability. (*9VAC25-850-30*)  
72       • 9VAC25-875-400. Certificates. (*9VAC25-850-40*)

- 73       • 9VAC25-875-410. Eligibility requirements. (9VAC25-850-50)  
74       • 9VAC25-875-420. Classification acknowledgment for the purposes of program compliance  
75       reviews. (9VAC25-850-55)  
76       • 9VAC25-875-430. Certification program fees. (9VAC25-850-60)  
77       • 9VAC25-875-440. Examination. (9VAC25-850-70)  
78       • 9VAC25-875-460. Discipline for certified personnel. (9VAC25-850-90)

79 **Part V. Criteria and Requirements for Regulated Land-Disturbing Activities.**

80 **Article 1. Administrative criteria.**

- 81       • 9VAC25-875-470. Applicability. (9VAC25-870-53)  
82       • 9VAC25-875-480. Applicability of other laws and regulations; time limits on applicability of  
83       approved design criteria. (9VAC25-870-47)  
84       • 9VAC25-875-490. Grandfathering. (9VAC25-870-48)  
85       • 9VAC25-875-500. Stormwater pollution prevention plan requirements. (9VAC25-870-54)  
86       • 9VAC25-875-510. Stormwater management plan requirements. (9VAC25-870-55)  
87       • 9VAC25-875-520. Pollution prevention plans. (9VAC25-870-56)  
88       • 9VAC25-875-530. Applying for permit coverage. (9VAC25-870-59)

89 **Article 2. Soil erosion requirements.**

- 90       • 9VAC25-875-540. Applicability. (9VAC25-840-30)  
91       • 9VAC25-875-550. Erosion and sediment control plan requirements. (9VAC25-840-70)  
92       • 9VAC25-875-560. Erosion and sediment control criteria, techniques, and methods: minimum  
93       standards. (9VAC25-840-40)

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- 95       • 9VAC25-875-570. Applicability. (9VAC25-870-62)  
96       • 9VAC25-875-580. Water quality design criteria requirements. (9VAC25-870-63)  
97       • 9VAC25-875-590. Water quality compliance. (9VAC25-870-65)  
98       • 9VAC25-875-600. Water quantity. (9VAC25-870-66)  
99       • 9VAC25-875-610. Offsite compliance options. (9VAC25-870-69)  
100      • 9AVC25-875-620. Design storms and hydrologic methods. (9VAC25-870-72)  
101      • 9AVC25-875-630. Stormwater harvesting. (9VAC25-870-74)  
102      • 9AVC25-875-640. Linear development projects. (9VAC25-870-76)  
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106 **Article 4. Water quantity and water quality technical criteria for grandfathered projects and time  
107      limits of applicability projects.**

- 108      • 9VAC25-875-670. Definitions. (9VAC25-870-93)  
109      • 9AVC25-875-680. Applicability. (9VAC25-870-94)  
110      • 9AVC25-875-690. General. (9VAC25-870-95)

- 111     • 9VAC25-875-700. Water quality. (*9VAC25-870-96*)  
112     • 9VAC25-875-710. Stream channel erosion. (*9VAC25-870-97*)  
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115 **Article 5. Criteria for Chesapeake Bay Preservation Act land-disturbing activities.**

- 116     • 9VAC25-875-740. Chesapeake Bay Preservation Act land-disturbing activity. (*9VAC25-870-51*)  
117     • 9VAC25-875-750. Chesapeake Bay Preservation Act land-disturbing activities in rural Tidewater  
118       localities. (*9VAC25-870-52*)

120 **Article 6. Additional criteria and requirements for state or federal land-disturbing activities.**

- 121     • 9VAC25-875-760. Soil erosion control and stormwater management for land-disturbing  
122       activities. (*§ 62.1-44.15:34 of the Code of Virginia*)  
123     • 9VAC25-875-770. State agency land-disturbing activities. (*9VAC25-840-100 and § 62.1-44.15:34*  
124       *of the Code of Virginia*)  
125     • 9VAC25-875-780. Stormwater management permit applications. (*9VAC25-870-180*)  
126     • 9VAC25-875-790. Maintenance and inspections. (*9VAC25-870-200*)  
127     • 9VAC25-875-800. Reporting on stormwater management. (*9VAC25-870-210*)  
128     • 9VAC25-875-810. Technical criteria and requirements for state or federal projects. (*9VAC25-870-*  
129       *160 and § 62.1-44.15:34 A 3 b of the Code of Virginia*)

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132     • 9VAC25-875-830. Standards and specifications for state agencies, federal entities, and other  
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136 **Part VII. Virginia Pollutant Discharge Elimination System (VPDES) Permits.**

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- 138     • 9VAC25-875-850. Definitions. (*9VAC25-870-10*)

139 **Article 2. General program requirements related to MS4s and land disturbing activities.**

- 140     • 9VAC25-875-860. Exclusions. (*9VAC25-870-300*)  
141     • 9VAC25-875-870. Prohibitions. (*9VAC25-870-310*)  
142     • 9VAC25-875-880. Effect of a permit. (*9VAC25-870-320*)  
143     • 9VAC25-875-890. Continuation of expiring permits. (*9VAC25-870-330*)  
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- 148     • 9VAC25-875-930. Permit rationale. (*9VAC25-870-365*)  
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152     • 9VAC25-875-970. Small municipal separate storm sewer systems. *9VAC25-* (*870-400*)  
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- 156     • 9VAC25-875-1000. Conditions applicable to all permits. (*9VAC25-870-430*)  
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158           (*9VAC25-870-440*)  
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- 184     • 9VAC25-875-1210. Modification, revocation and reissuance, or termination of permits. (*9VAC25-*  
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200       • 9VAC25-875-1310. Applicability. *(9VAC25-870-730)*  
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206       • 9VAC25-875-1370. General. *(9VAC25-870-790)*  
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211       • 9VAC25-875-1400. Fees for individual permit or coverage under the General Permit of Discharges of Stormwater from Construction Activities. *(9VAC25-870-820)*  
213       • 9VAC25-875-1410. Fees for the modification or transfer of individual permits or of registration statements for the General Permit for Discharges of Stormwater from Construction Activities. *(9VAC25-870-825)*  
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